



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Attorney Docket No. 059027/0141

In re reissue patent application of

Raouf A. GUIRGUIS

Examiner: Christopher L. Chin

Serial No: 09/735,550

Art Unit: 1641

Filed: December 14, 2000

Application for reissue of U.S. Patent No.
5,849,505, granted December 15, 1998

For: LIQUID SPECIMEN CONTAINER AND ATTACHABLE TESTING MODULES

**SUPPLEMENTAL
REISSUE DECLARATION
UNDER 37 C.F.R. §1.175**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

I, Raouf A. GUIRGUIS, a citizen of United States of America, and President of LaMina, Inc., the present assignee and owner of U.S. Patent No. 5,849,505, declare that:

1. I have reviewed the above-identified application and understand the contents of the specification, including the claims, as amended by any amendment specifically referred to in this declaration, and in the amendments filed with application, and in the amendment filed concurrently herewith.

2. I believe that I am the original and first inventor of the subject matter that is claimed in this application and for which a reissue patent is sought.

3. I acknowledge my duty to disclose to the Office information known to me to be material to patentability as defined in 37 C.F.R. §1.56.

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4. I claim benefit under 35 U.S.C. §120 of U.S. Patent Application Serial No. 08/340,844, filed November 15, 1994, now abandoned, and U.S. Patent Application Serial No. 07/686,934, filed April 14, 1991, now U.S. Patent No. 5,429,803, which are of record in the file of my original Letters Patent 5,849,505.

5. There are no foreign applications or inventors certificates having a filing date before that of the applications on which priority is claimed.

6. I believe U.S. Patent No. 5,849,505 ("the '505 patent") is wholly or partly inoperative or invalid by reason of a defective specification and drawing, at least as follows:

a. The sentence starting at column 1, line 65 and ending at column 2, line 2 is unclear because the word "end" is missing from column 2, line 1, after the word "forward." Inserting "end" so that column 2, line 1 reads "forward end" would correct this defect.

b. The specification and the drawing (Fig. 10) are confusing because reference number 79 is used to denote two different elements: "cylindrical exterior surface 79" (column 6, line 1), and "distal stepped portion 79" (column 6, line 21). Changing "79" to "101" so that column 6, line 21 reads "distal stepped portion 101," and making a corresponding change in Fig. 10 of the drawing, would correct these defects.

7. I believe the '505 patent is wholly or partly inoperative or invalid by reason of my claiming less than I had the right to claim in the patent, at least as follows:

a. Independent claim 1 is unduly narrow by reciting that the chromatographic bed material is for capturing "particulate matter and cells," whereas simple recitation of capturing "analytes" would suffice (see new claim 22).

b. Independent claim 13 is unduly narrow by reciting that a filter "membrane" is "for capturing cells," whereas simple recitation of a "filter" would suffice (see new claim 37).

8. All errors which are being corrected in the reissue application up to the time of filing this declaration arose without any deceptive intention on my part.

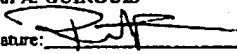
9. By this reissue declaration, I desire to correct the specification and drawing as mentioned above and as presented in the amendment filed concurrently herewith; and to seek

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broadened claims, specifically, new claims for a broadening reissue as submitted in the reissue application and as explained above.

I declare further that all statements made herein of my own knowledge are true, and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Raouf A. GUIRGUIS	
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